

Quarantines for Emerald Ash Borer

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Living and working in a quarantined area – What are the rules?

After EAB is confirmed in an Indiana county, quarantine of ash products will be instituted to restrict EAB's movement into uninfested areas. The quarantine will firmly constrain the movement of regulated ash materials outside of the newly discovered infested area.

The 'Three Level' Quarantine

In Indiana, a "three layered" quarantine is used to curb the further movement of EAB:

- Level 1: After EAB is found, the entire county in which it is found is quarantined for regulated ash items). This means that no regulated ash item can be moved outside of the affected county without written permission from the Indiana DNR. However, regulated ash items may be moved *between and within* the county's townships where EAB was not actually detected.
- Level 2: The township or townships in which *a living specimen of the insect was found* (infested townships) undergoes an additional quarantine that keeps regulated items within the infested township. In a quarantined county:
 - Regulated items originating from within infested townships *may not* be moved to uninfested townships.
 - Regulated material originating from within uninfested townships in the quarantined county *may* be moved into the infested township, but these materials must then remain in the infested township.
- Level 3: To ensure that potentially infested ash material from quarantined areas in Indiana is not moved to other states or, conversely, that infested material is not moved into Indiana from EAB quarantined areas in other states, a federal quarantine between state borders is managed by USDA APHIS PPQ.

Items regulated by an EAB quarantine

The EAB quarantine restricts movement of the following items from quarantined townships (infested areas) and quarantined counties:

1. Cut firewood *of any kind except pine* from the affected county or within the infested township(s)
2. Living emerald ash borer insects of any life stage from immature to adult
3. Any whole ash trees, including nursery trees
4. Limbs, stumps, branches, or debris from ash trees with a diameter of 1 inch or more
5. Ash logs, slabs, or untreated ash lumber with the bark attached
6. Ash chips and ash bark chips (both composted and non-composted) that are 1 inch or more in diameter
7. Any product made from ash wood that was recently alive and growing that might move any life stage of the beetle

Penalties for violations of quarantines

Violation of EAB quarantines may be punished by large fines, and in some cases, jail time. In serious cases, federal fines can be \$1,000 or more per “incident”; a violator can be fined up to \$1,000 per piece of firewood, ash nursery tree, or ash log. If the situation is extreme, penalties issued by USDA APHIS can be even greater. Individuals who are caught violating the quarantine may also be the subject of local news reports that could harm their business reputations.

Compliance agreements

The purpose of the EAB quarantine is not to hinder enterprise and productivity but to limit movement of the beetle. Businesses and landowners involved in handling ash products and firewood may continue, with necessary restrictions, to operate under the direction of a compliance agreement.

A compliance agreement is a written agreement between the USDA Animal and Plant Health Inspection Services, Division of Plant Protection and Quarantine (USDA APHIS PPQ) and/or the Indiana Department of Natural Resources (Indiana DNR) and a property owner or business owner that authorizes the movement of regulated articles under very specific terms and conditions. There are 3 main types of compliance agreements available for persons or businesses operating in quarantined areas:

- Operators of sawmills
- Persons or businesses who produce and sell hardwood firewood (any type)
- Persons or businesses who ship ash wood

Compliance Agreement for Operators of Sawmills

- Signers of this agreement are authorized to accept ash logs from a quarantined area to their premises located in a non-quarantined area for the purpose of processing the material in ways that will remove the threat of moving EAB.
 - These items may only be received from a shipper who also holds a compliance agreement with USDAAPHIS PPQ/ Indiana DNR. The shipper must provide the sawmill with an appropriate permit at time of delivery.
 - The regulated materials that the sawmill accepts will either be debarked and slabbed, or kiln dried.
 - The sawmill operator must store ash logs separately from other logs until processing and disposal of ash waste is completed. None of these items can be sold as firewood.
- To ensure that the beetles will be destroyed before they can emerge, the compliant operator can only accept ash logs between October 1st and March 31st. The operator may not accept regulated material from April 2nd through September 30th.
 - All processing and disposal of debris must be completed by April 30th of each year to ensure that no EAB adults emerge in the spring.
- The USDA and/or IDNR will conduct inspections of regulated articles, monitor inspection procedures, and examine shipment, treatment, and limited certificate

records at any time they wish. All records must be maintained for at least 36 months.

Compliance Agreement for Persons or Businesses Producing and Selling Hardwood Firewood of Any Type

- The EAB quarantine prohibits the movement of both ash and all other hardwood firewood from the quarantined county/townships in question. The reason all types of hardwood firewood are included in this regulation is that, after hardwood is split and stacked, it is difficult and time-consuming to separate ash firewood from other kinds. Firewood from conifer species is not regulated.
- The compliance agreement allows persons and businesses to move regulated *non-ash* firewood to areas outside of the quarantined county/township. *Ash firewood may not be moved outside of the quarantine boundaries under any circumstances.*
- During the course of business, all ash firewood must be segregated from any other hardwood firewood and placed in a separate pile or taken to an approved landfill or marshalling yard.
- In addition, all ash firewood must be burned completely by April 1st of the year to prevent emergence of EAB adults when the weather becomes warmer.
- Firewood shipped out of the state from a quarantined area will require additional treatment as prescribed by USDA APHIS PPQ. For more information, contact a USDA APHIS compliance officer listed at the end of this document.
- Under this agreement, the Indiana DNR and/or USDA APHIS PPQ may conduct inspection, monitor procedures, examine the firewood, and review documentation and records at any time during regular business hours.

Compliance Agreement for Ash Shippers

- Under this agreement, regulated ash logs, ash lumber, ash debris with bark attached, or ash bark may only be shipped from a quarantined area (county or township) if the articles are being moved to an approved compliant sawmill, landfill, or marshaling yard.
- Shipments of regulated ash material are allowed only between October 1st and March 31st and must be accompanied by appropriate documentation. Regulated ash products may not be shipped between April 1st and September 30th.
- Detailed records must be kept of all shipments moving under this compliance agreement containing dates, invoice numbers, truck identification, and origin/shipper and destination.
- Under this agreement, the Indiana DNR and/or USDA APHIS PPQ may conduct inspection, monitor procedures, examine the firewood, and review documentation and records at any time during regular business hours.

Disposal of Ash Wood Products in a Quarantined Area

In the past, infested ash trees and all ash trees within ½ mile of the infested tree were cut down in an attempt to eradicate the beetle from Indiana. As the extent of the infestations became known, this policy ended and quarantines became the main means of keeping EAB from moving into uninfested areas. It is crucial that Indiana citizens strictly adhere to the

rules of quarantines, and this is especially true for persons or businesses who handle ash wood products.

If your business requires you to handle regulated ash products at sites within quarantined counties, you should determine what your options are and develop a plan of action. The following steps will help:

Step One: Determine the location of the nearest compliant ash receiver site (CARS). A CARS is a site such as a landfill, marshall yard, or sawmill that has entered into a compliant agreement with the Indiana DNR and USDA APHIS to receive, process, or dispose of regulated ash material. To find out where CARS are located:

- Visit the Indiana DNR website to see what facilities, if any, are operating in the area: <http://www.in.gov/dnr/entomolo/pdfs/EABCompliance.pdf>

or

Call or otherwise contact the Indiana DNR, Department of Entomology and Plant Pathology for current information on the location of compliant ash receiver sites :

Indiana Department of Natural Resources
Division of Entomology and Plant Pathology
402 West Washington Street, Room W290
Indianapolis, IN 46204-2739
Telephone: (317) 232-4120

or

- Contact USDA-APHIS- PPQ:
Rick McKay, USDA APHIS PPQ Officer
EAB Program Supervisor
734-732-3210

Gary Moughler, USDA APHIS PPQ Officer
942 W. 15th Street
Auburn, IN 46706
Office telephone: (260) 927-9627
Fax: (260) 927-9628
- If no CARs is available in your area and you are interested in setting up an ash receiver site in your area, call or otherwise contact the Indiana DNR:

Step Two: Identify the scenario that applies to your situation and choose the appropriate action to dispose of regulated ash material.

WORK SITE DESCRIPTION	POSSIBLE ACTIONS TO DISPOSE OF INFESTED ASH MATERIALS	Compliance agreement required?
Infested township <i>with</i> a compliant ash receiver site (CARS) within the township	Leave infested material on site	No
	Bury ash material within infested township	No
	Burn ash material at worksite (permit may be required)	No
	Chip infested material to less than 1 inch in diameter; material no longer regulated	No
	Move infested material to CAR within same infested township for processing and disposal	No
Infested township <i>without</i> CARS within the infested township, but there is a site in an uninfested township in the county	Leave infested material on site	No
	Bury ash material within infested township	No
	Burn ash material at worksite (burning permit may be required)	No
	Chip infested material to less than 1 inch in diameter; material no longer regulated	No
	Move infested material to CARS in uninfested township (can only be moved during dates listed in compliance agreement)	Yes
Infested township <i>without</i> CARS site and <i>without</i> CARS located within the county Infested township you are working in is adjacent to another infested township; CARS is located in the adjacent infested township.	Leave infested material on site	No
	Bury ash material within infested township	No
	Burn ash material at worksite (burning permit may be required)	No
	Chip infested material to less than 1 inch in diameter; material no longer regulated	No
	Move infested material to CAR in another county (can only be moved during dates listed in compliance agreement)	Yes
	Leave infested material on site	No
	Bury ash material within infested township	No
	Burn ash material at worksite (burning permit may be required)	No
	Chip infested material to less than 1 inch in diameter; material no longer regulated	No
	Move infested material to CAR located in adjoining infested township (townships must be contiguous)	No

If no compliant ash receiver site is available

If you are working in a quarantined area where there are no compliant ash receiver sites within a reasonable driving distance, the affected ash material must remain within the quarantined county or infested township of origin unless it is processed on site by chipping (no compliance agreement necessary if chipped under 1 inch in diameter) or milled and slabbed with a portable sawmill. Inspection of the final products by compliance officers of the Indiana DNR and/or USDA APHIS PPQ will be necessary before the end products are moved out of the quarantined area. Of course, the infested material may be left on site to degrade or for use as firewood. If your area doesn't currently have a disposal site, you may wish to encourage local businesses such as sawmills or landfills to become compliant receivers of ash material.

To find out more about compliance agreements or setting up a compliant ash receiver site, contact:

Scott V. Kinzie, Compliance Officer
Indiana Department of Natural Resources
Division of Entomology & Plant Pathology
402 West Washington Street, Room W-290
Indianapolis, IN. 46204-2739
Telephone (317) 232-4120
Fax: (317) 232-2649
e-mail: skinzie@dnr.IN.gov

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